

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

Ortiz Rosa, Yenice

Plaintiff

17-cv-1581(GAG)

v.

Vocational Rehabilitation Administration

Defendant(s)

COMPLAINT

I. Statement of Jurisdiction

I have been discriminated because of my disability in violation of the American with disability Act of 1990 (ADA).

II. Statement of the Parties

Plaintiff: Yenice Ortiz Rosa

1000 Ave. Blvd 1604 Toa Baja, Puerto Rico 00949

Defendant: Vocational Rehabilitation Administration

Department of Labor & Human Resources

805 Mercantil Plaza, Hato Rey

P.O. Box 19118

San Juan PR 00919-1118

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### III. Statement of Claim(s)

I am an employee of the Vocational Rehabilitation Administration (ARV) for which I have been a Counselor in Rehabilitation since January 2, 2013.

On January 24, 2013 Ms. Eybel Ortiz Ruiz, Occupational Therapist of the State Insurance Fund Corporation (CFSE) performed an ergonomic assessment on the workstation. As a result, I was advised to use assistive devices as a reasonable accommodation.

After offering the corresponding follow-up to both Madeline Serrano Carrión Supervisor and Ms. Rochell Castro Oyola, Director of the Employee Assistance Program without any success. On December 11, 2015 file a complaint through the Union of Employee, United Public Servants (SPU) with the Sa. Jaslid García Hicks, Regional Coordinator of the Bayamón Region.

Because the employer failed to provide reasonable accommodations, a complaint on the United States Equal Employment Opportunity Commission (EEOC) was filed on May 9, 2016. On August 31, 2016, Mr. Luis A. Calzada, Federal Investigator notified me by electronic mail that at the expiration of the term provided for any response of the employer to the offer of conciliation. He commented on a recommendation that court litigation be granted.

On February 10, 2016, I picked up the registered letter in the mail, where I was notified of Right to Sue".

I respectfully request that I be assigned a lawyer, as I do not have the financial solvency to pay the costs of legal representation. Besides English language not is my vernacular.

### IV. Statement of Relief

I request that I be compensated economically for the psychological anguish, damages and damages that my employer, the Administration of Vocational Rehabilitation, caused me to delay three (3) years with 11 months to deliver the assistive equipment recommended by Mrs. Eybel Ortiz Ruiz, Therapist Occupational, of the State Insurance Fund Corporation. Ms. Ortiz recommended the reasonable accommodations (assistive devices) in ergonomic evaluation performed on January 24, 2013. Partial deliveries were made beginning October 21, 2016, November 16, 2016 and ending December 5, 2016. In addition I am allowed to continue performing my work in a respectful work environment, equal treatment, no discrimination or retaliation.

May 3, 2017



Yenice Ortiz Rosa

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